

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

AMERICAN AIRLINES, INC., and
AADVANTAGE LOYALTY IP LTD.

Plaintiffs,

v.

RED VENTURES LLC and THE POINTS
GUY LLC,

Defendants.

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Civil Action No. 4:22-cv-00044-P

RULE 26(a)(1) DISCLOSURES

Defendants Red Ventures, LLC (“RV”) and The Points Guy (“TPG,” and together with RV, “Defendants”) provide the following information pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Defendants reserve the right to supplement or amend these disclosures as permitted by the Federal Rules of Civil Procedure as discovery and investigation into the factual basis for Plaintiffs’ claims continues.

I. Rule 26(a)(1)(A)(i)

Provide the name and if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

To Defendants’ knowledge, the following individuals are likely to have discoverable information and knowledge of the facts and circumstances surrounding the incidents that form the basis for this lawsuit. These individuals can be reached through designated counsel:

c/o Alex Roberts
BECK REDDEN LLP
1221 McKinney Street, Suite 4500
Houston, Texas
Telephone: (713) 951-3700
Facsimile: (713) 951-3720
aroberts@beckredde.com

- Jack Witty
 - Jack Witty was a Senior Director for the TPG App Team in 2021. He led a demonstration of the TPG App for Plaintiffs in February 2021.
- Scott Mayerowitz
 - Scott Mayerowitz is the Executive Editor and Senior Director of Content for TPG. He attended a demonstration of the TPG App for Plaintiffs in February 2021.
- Nathan Richardson
 - Nathan Richardson is an Executive Vice President of Partnerships for TPG and attended a teleconference in February 2021 to discuss the TPG App with Plaintiffs' representatives.
- Richard Kerr
 - Richard Kerr is a Loyalty and Engagement Editor for TPG and attended a teleconference in February 2021 to discuss the TPG App with Plaintiffs' representatives.
- Mitchell Stoutin
 - Mitchell Stoutin is a Senior Director of Engineering and attended a teleconference to discuss the TPG App with Plaintiffs' representatives.

The following may have knowledge of the facts and circumstances surrounding the incidents that form the basis for this lawsuit. Their contact information is indicated below:

- Emiliano Delucia
 - Emiliano Delucia was the Head of Technology and Engineering for Financial Services and was involved in communications with Plaintiffs' representative regarding the TPG App.
 - Current contact information unknown. Will supplement.
- Zach Bartholomew
 - Zach Bartholomew was the Director of Product Management for TPG and attended the February 2021 teleconference and demonstration of the TPG App for Plaintiffs.
 - Current contact information unknown. Will supplement.

To Defendants' knowledge, the following individuals are all employees of Plaintiffs and likely to have discoverable information and knowledge of the facts and circumstances surrounding the incidents that form the basis for this lawsuit. They can be reached through their designated counsel:

c/o Dee J. Kelly, Jr.
KELLY HART & HALLMAN LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102
(817) 332-2500
dee.kelly@kellyhart.com

- Scott Chandler
 - Scott Chandler is the Vice President for Revenue Management for Plaintiff American Airlines, Inc. He has filed a declaration based on his personal knowledge related to this matter.
- Heather Samp

- Heather Samp is the Managing Director of AAdvantage Member Engagement. She has filed a declaration based on her personal knowledge related to this matter.
- Vasu Raja
 - Vasu Raja is the Chief Commercial Officer for Plaintiff American Airlines, Inc. He has filed a declaration based on his personal knowledge related to this matter.
- Eddie Armenta
 - Eddie Armenta is a Product Technical Lead employed by Plaintiffs and attend a teleconference in February 2021 with representatives of Defendants.
- Chris Isaac
 - Chris Isaac is the Director of Loyalty Program Delivery for Plaintiff American Airlines, Inc. and was invited to a demonstration of the TPG App in February 2021.
- Meghan Jordan
 - Meghan Jordan is the Director of Customer Insights for Plaintiff American Airlines, Inc. and was invited to a demonstration of the TPG App in February 2021.
- Lori Sinn
 - Lori Sinn is the Director and Head of AAdvantage Global Cobrand Credit Card Partnerships for Plaintiff American Airlines, Inc. and was invited to a demonstration of the TPG App in February 2021.
- Russell Hubbard
 - Russell Hubbard is a Vice President and Deputy General Counsel for Plaintiffs.
- Sandra Jacobs
 - Sandra Jacobs is a Director for Loyalty and Marketing Technology for Plaintiffs and was involved in communications with Defendants in September 2021.
- Venkateswaran Krishnamoorthy
 - Venkateswaran Krishnamoorthy is the Principal Application Architect for Plaintiffs and was involved in communications with Defendants in September 2021.
- Megan Goodmansen
 - Megan Goodmansen is a Senior Security Analyst for Plaintiffs and was involved in communications with Defendants in September 2021.

The following individual is no longer Plaintiffs' employee. This individual may have knowledge of the facts and circumstances surrounding the incidents that form the basis for this lawsuit:

- Rick Elieson
 - Rick Elieson was the Vice President of Customer Loyalty and Insights and was the President of the AAdvantage Loyalty Program for Plaintiff American Airlines, Inc. He was invited to a demonstration of the TPG App in February 2021.
 - His contact information is currently unknown.

II. Rule 26(a)(1)(A)(ii)

Provide a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the uses would be solely for impeachment.

Relevant documents and electronically stored information in this case will include, but is not limited to:

- Documents and communications sent between and among the employees of Plaintiffs and Defendants regarding, but not limited to, the TPG App.
- The TPG App's interface that consumers use to input their information and to view their rewards points.
- The TPG App's interface that displays any mark or emblem that is associated with Plaintiffs.
- Documents, communications, and electronically stored information related to the method by which consumers access their data from AA.com and/or the AAdvantage Program and share this data with Defendants.
- Documents, communications, and electronically stored information related to the security and protections used to safeguard consumers' information.

III. Rule 26(a)(1)(A)(iii)

Provide a computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure on which each computation is based including materials bearing on the nature and extent of injuries suffered.

The Defendants are not currently claiming any damages in connection with this matter. The Defendants will update this response as appropriate as this matter progresses.

IV. Rule 26(a)(1)(A)(iv)

Provide for inspection and copying under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable.

Dated: May 23, 2022

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS
RED VENTURES, LLC AND
THE POINTS GUY, LLC**

CERTIFICATE OF SERVICE

On May 23, 2022, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Alex Roberts
Alex Roberts